

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Charles H. Bianchi, Ken C. Greenwood and John Sabat, Jr.

Application No.: 10/606,655

Group: 2661

Filed: June 26, 2003

Examiner: Not Assigned

Confirmation No.: 4692

For: ARCHITECTURE FOR SIGNAL DISTRIBUTION IN
WIRELESS DATA NETWORKS

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
on <u>09-29-03</u>	<u>Donna Bartolone</u>
Date	Signature
Donna Bartolone	
Typed or printed name of person signing certificate	

PETITION UNDER 37 C.F.R. §1.53(e)(2)
AND A REQUEST FOR A CORRECTED FILING RECEIPT

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the attached Figure 6 be accepted in the subject application.

A Notice to File Missing Parts of Nonprovisional Application was mailed by the U.S. Patent and Trademark Office on September 12, 2003 in the above-identified application, a copy of which is attached. The Notice states that Figure 6 appears to have been omitted from the application.

Applicants' Attorney states that the application as filed on June 26, 2003, under Express Mail procedures, Label No. EV 214935600 US, was filed with 7 sheets of drawings (FIGS. 1, 2, 3, 4, 5, 6 and 7). An enclosed postcard receipt, evidencing 7 sheets of drawings were submitted with the application, was date stamped and an application number assigned by the Office of Initial Patent Examination. A copy of the postcard receipt is enclosed as prima facie evidence of that fact.

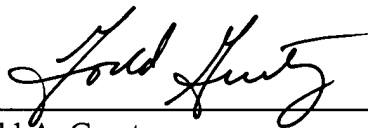
Since the U.S. Patent Office is unable to locate the drawing sheet containing Figure 6, a duplicate copy of Figure 6 is enclosed to complete the application papers in the Office.

In view of the above, the undersigned attorney respectfully requests that this Petition be granted and that a corrected filing receipt be issued, the receipt indicating 7 sheets of drawings submitted with the specification, not 6 sheets.

The petition fee as set forth in 37 C.F.R. § 1.17(h) in the amount of \$130 is enclosed. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this transmittal letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

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Concord, MA 01742-9133

Date: 9/29/03



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/606,655	06/26/2003	Charles H. Bianchi	2797.1002-007

021005
 HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
 530 VIRGINIA ROAD
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 CONCORD, MA 01742-9133

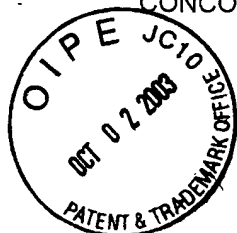
CONFIRMATION NO. 4692

FORMALITIES LETTER



OC000000010873352

Date Mailed: 09/12/2003



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 750 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been omitted from the application:

- Figure(s) 6 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

10/08/2003 CN3UYEN 00000055 10606655

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130.00 OP

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$880** for a Large Entity

- **\$750** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

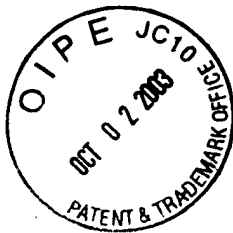
*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY

Initials: DJT/TAG/dab

Docket No.: 2797.1002-007

Date: 06-26-03

This is to acknowledge receipt of NEW X CIP APPLICATION as follows:

X Application Transmittal Express Mail Label No. EV 214935600 US
Fee Transmittal w/copy Statement S/E Status
X Specification - Total pages 19 X Drawings - Total sheets [7]
 Executed Declaration for Patent Application - Total pages
 Executed POA by Assignee Applicant/Inventor - No. of Docs.
 Statement under 37 C.F.R. §3.73(b)
 Priority Claim Under 35 U.S.C. §119 or 365, separate paper
 Assignment/Recordation cover sheet w/postcard
 Sequence Listing in Paper & CRF, Statement 1.821(f)
 Other
 Check (\$) includes Assignment recordal fee
 Authorization to Charge all Fees

Applicant: Charles H. Bianchi, et al.

14772 U.S. PTO

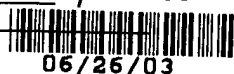
X CIP of Application No. 09/332,518

10/606655

 Claims benefit of U.S. Provisional Application No.

Title: Architecture for Signal.....

Date received by the PTO:



06/26/03